

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

GILLIUM LEVY,

Petitioner,

v.

C. HOLINKA, MARION FEATHERS
and BILL L. JONES, in their individual
and official capacities,

Respondents.

ORDER

09-cv-279-slc

Petitioner Gillium Levy, a prisoner at the Federal Correctional Institution in Oxford, Wisconsin, has submitted a proposed complaint. He asks for leave to proceed *in forma pauperis*. Because petitioner is a prisoner, he is subject to the 1996 Prisoner Litigation Reform Act. This means that before this court may decide whether he can proceed with his complaint *in forma pauperis*, petitioner will have to make an initial partial payment of the filing fee. From the trust fund account statement petitioner has submitted, I calculate his initial partial payment to be \$9.54. Also, he must pay the remainder of the fee in monthly installments even if his request for leave to proceed is denied. Petitioner should show a copy of this order to prison officials to insure that they are aware they should send petitioner's initial partial payment to this court.

ORDER

IT IS ORDERED that petitioner is assessed \$9.54 as an initial partial payment of the \$350 fee for filing this case. He is to submit a check or money order made payable to the clerk of court in the amount of \$9.54 on or before May 26, 2009. If, by May 26, 2009, petitioner fails to make the initial partial payment or show cause for his failure to do so, he will be held to

have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 6th day of May, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge